



Counselor, Social Worker & Marriage and Family Therapist Board

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Social Worker Professional Standards Committee (SWPSC) Minutes

Thursday, July 16, 2009

Members Present: Mr. Tim Brady, Ms. Karen Huey, Mr. Bob Nelson,
Ms. Jennifer Riesbeck-Lee, Ms. Molly Tucker
Staff Present: Mr. Bill Hegarty, Ms. Marcia Holleman, Ms. Tracey Hosom,
Ms. Jenny Kreinbrink, Ms. Patty Miller, Ms. Tammy Tingle
Guests Present: Ms. Jennifer Swingle and Mr. Matt Swingle

1. **Meeting Called to Order**

Ms. Riesbeck-Lee called the meeting to order at 9:18 a.m.

2. **Election of new SWPSC chair**

Ms. Tucker made a motion to re-elect Ms. Riesbeck-Lee as chair of the SWPSC. Mr. Brady seconded the motion. Motion carried.

3. **Discussion/Approval of the July 16th & 17th, 2009 Agenda**

Ms. Riesbeck-Lee asked if there were any changes or discussion of the July 16th and 17th, 2009 agenda. No changes or discussion were made. Ms. Huey made the motion to approve the agenda. Seconded by Mr. Nelson. Motion carried.

4. **Approval of the May 21st & 22nd, 2009 Minutes**

Ms. Riesbeck-Lee asked if there were any changes or discussion of the May 21st and 22nd, 2009 minutes. Ms. Tucker made the motion to approve the minutes. Seconded by Mr. Brady. Motion carried.

5. **Investigations**

(A) **Closed Cases**

Ms. Tucker made a motion that the following cases be closed as no actionable offenses had been found. Ms. Huey seconded the motion. Motion carried.

2008-235	2009-3	2009-5	2009-20	2009-29	2009-37
2009-47	2009-51	2009-52	2009-53	2009-56	2009-58
2009-59	2009-61	2009-64	2009-66	2009-71	2009-72

2009-77	2009-78	2009-79	2009-80	2009-81	2009-89
2009-94	2009-95	2009-98	2009-99	2009-101	

(B) Executive Session

Ms. Riesbeck-Lee requested that the SWPSC meeting go into Executive Session at 10:00 a.m. to discuss the Notice of Opportunity for Hearing, Consent Agreements, Goldman Reviews (Licensure) and Correspondence. Accepted by a Roll Call Vote – Mr. Brady –yes, Ms. Huey – yes, Mr. Nelson – yes, Ms. Riesbeck-Lee - yes, Ms. Tucker - yes.

Ms. Riesbeck-Lee moved that the SWPSC come out of Executive Session at 10:20 a.m. Accepted by a Roll Call Vote – Mr. Brady –yes, Ms. Huey – yes, Mr. Nelson – yes, Ms. Riesbeck-Lee – yes, and Ms. Tucker – yes.

(C) Notice of Opportunity for Hearing

When voting, the committee members are not aware of the name of the licensee; the licensee’s name is provided after the motion has passed.

Randall S. Betts, LSW - A motion was made by Ms. Tucker to approve the Notice of Opportunity for Hearing to Mr. Betts. Seconded by Mr. Brady. Motion carried.

Tina L. Postage-Gowins, LSW - A motion was made by Ms. Tucker to approve the Notice of Opportunity for Hearing to Mr. Postage-Gowins. Seconded by Mr. Brady. Motion carried.

(D) Consent Agreements

Alan L. Jefferis, LSW - A motion was made by Ms. Tucker to accept the Consent Agreement between the Board and Mr. Jefferis. Seconded by Mr. Brady. Motion carried.

James R. Polzner, LISW - A motion was made by Ms. Tucker to accept the Consent Agreement between the Board and Mr. Polzner. Seconded by Mr. Brady. Motion carried.

(E) Goldman Reviews (Licensure)

Barbara L. Devendorf – A motion was made by Ms. Huey to deny Ms. Devendorf’s licensure application for not possessing a qualifying degree in social work. Seconded by Ms. Tucker. Mr. Nelson recused himself. Motion carried.

William R. Smith, Jr. – A motion was made by Ms. Huey to deny exam pre-approval to Mr. Smith for not possessing a qualifying degree in social work. Seconded by Ms. Tucker. Mr. Nelson recused himself. Motion carried.

Tammy K. Stebelton - A motion was made by Ms. Huey to deny Ms. Stebelton’s licensure application for not possessing a qualifying degree in social work. Seconded by Ms. Tucker. Mr. Brady and Mr. Nelson recused themselves. Motion carried.

(F) **Correspondence**

Jennifer Weber Swingle, LISW – Ms. Swingle was ordered into an impairment evaluation in 2006. She obtained an evaluation, contested its results through an adjudication hearing and was suspended. In 2008, Ms. Swingle requested to be re-evaluated in the hopes of having her licensure suspension lifted. She was evaluated again and a new evaluation was submitted to the Board on October 23, 2008. Based on the latest evaluation, the SWPSC chose to keep the suspension in place. Ms. Swingle, in a letter dated June 13, 2009, is contesting the second evaluation and requests that her ability to practice is returned. The SWPSC reviewed and discussed the aforementioned documents. The Committee discussed the documentation with Ms. Swingle and asked her why she thought her license suspension should be lifted.

Ms. Tucker made a motion to uphold Ms. Swingle’s suspension. In addition, the SWPSC recommends that Ms. Swingle provide proof of her ability to be employed in any type of work setting and she would determine the timeframe for that work experience. Once she feels that enough time has passed, then she will need to provide the SWPSC a written statement from her work supervisor so that the Committee can determine whether or not it would be appropriate to lift her suspension. Seconded by Mr. Nelson. Motion carried.

6. Association of Social Work Boards (ASWB)

Ms. Tucker discussed the Approved Continuing Education (ACE) program through ASWB and referred the Committee to the ACE handout. She stated that having ACE approve social work providers for the Board could potentially lessen the number of CEUs the SWPSC would need to review. Ms. Miller stated that if ASWB, a national organization, is given provider status, then the Board should give it to other national organizations, such as the National Association of Social Workers (NASW). Mr. Nelson will take this information to the CEU Ad Hoc Committee for their input and feedback.

7. Working Meeting

The SWPSC proceeded with a working meeting to Review Pending Applications for Licensure, Files to be Audited, CEU Programs and Providers, and Licensure Renewal Issues.

8. Approval of Applications for Licensure

A motion was made by Ms. Tucker to approve the following applications for licensure. Seconded by Mr. Nelson. Motion carried.

SWA -	2 Applications Approved
LSW -	16 Applications Approved
LSW (Related Degree) -	7 Applications Approved
LISW -	3 Application Approved

28 Applicants were approved for Licensure by the SWPSC at the July 2009 meeting.

303 Applicants were Licensed by Staff prior to the July 2009 meeting.

A motion was made by Ms. Tucker in regards to the other applicants. Seconded by Mr. Nelson. Motion carried.

LSW (Related Degree) - 4 Applicants with a Related Degree Issued Intent to Deny Exam Pre-Approval

9. Investigations

(A) Executive Session

Ms. Riesbeck-Lee requested that the SWPSC meeting go into Executive Session at 12:20 p.m. to discuss a Consent Agreement. Accepted by a Roll Call Vote – Mr. Brady –yes, Ms. Huey – yes, Mr. Nelson – yes, Ms. Riesbeck-Lee - yes, Ms. Tucker - yes.

Ms. Riesbeck-Lee moved that the SWPSC come out of Executive Session at 12:30 p.m. Accepted by a Roll Call Vote – Mr. Brady –yes, Ms. Huey – yes, Mr. Nelson – yes, Ms. Riesbeck-Lee – yes, and Ms. Tucker – yes.

(B) Consent Agreement

Diane Kidd, LSW - A motion was made by Ms. Tucker to accept the Consent Agreement between the Board and Ms. Kidd. Seconded by Mr. Brady. Motion carried.

10. New Business

4757-3-01 Definitions – Ms. Tucker made a motion to remove the comma from 4757-3-01(P)(2) so that it reads intra-psyhic dynamics instead of intra-psyhic, dynamics. Seconded by Mr. Brady. Motion carried.

11. Meeting Adjourned

A motion was made by Mr. Brady to adjourn the meeting at 1:00 p.m. Seconded by Ms. Tucker. Motion carried.

Social Worker Professional Standards Committee (SWPSC) Minutes

Friday, July 17, 2009

Members Present: Mr. Tim Brady, Ms. Karen Huey, Mr. Bob Nelson,
Ms. Jennifer Riesbeck-Lee, Ms. Molly Tucker
Staff Present: Ms. Marcia Holleman, Ms. Jenny Kreinbrink, Mr. Jim Rough
Guest Present: Ms. Mary DeCenzo, Mr. Henry Lustig, NASW Liaison,
Ms. Cindy Webb, Executive Director of NASW

1. **Meeting Called to Order**

Ms. Riesbeck-Lee called the meeting to order at 9:07 a.m.

2. **Agenda Additions**

Ms. Riesbeck-Lee added the following items to the July 17, 2009 agenda: SWA correspondence, Donna Gray Boyd correspondence, and CEU information/provider status.

3. **Old Business**

4757-19-02(C)(2)(d) – Mr. Brady made a motion to discuss this rule. Seconded by Ms. Tucker. Motion carried.

The Committee discussed having a LISW-Administrative and a LISW-Clinical licenses, but it would have to be done through the statute. Mr. Lustig mentioned that some states use the supervisor's scope of practice to determine which LISW the supervisee would receive. Mr. Rough suggested looking at the LISW's scope of practice vs. their ethical practice. The SWPSC discussed emphasizing the ethics portion. Ms. Webb said that it is important to focus as much on assessment and intervention and not just diagnosis and treatment. She also mentioned that NASW is worried about the practice of social work being diminished. Ms. Holleman, Ms. Kreinbrink, and Mr. Rough will draft something so that the applicant can show how they are doing psychosocial interventions at the administrative or clinical level.

Mr. Brady made a motion to table this rule change. Seconded by Ms. Tucker. Motion carried.

4. **Executive Director's Report**

The first agenda item for the Board and each professional standards committee needs to be an election of a chairperson per 4757.05(B). The SWPSC said that they re-elected Ms. Riesbeck-Lee.

Mental Health Hold – the OCA and others are working on a mental health hold bill that includes all practitioners with the right to independently diagnose and treat mental and emotional disorders.

Mr. Rough will provide an ethics training in September for the Board members that must meet their State of Ohio every two-year requirement. The SWPSC suggested having the training from 2:00-4:00 p.m.

The online renewals are working well with few licensees asking for paper renewal forms.

House Bill 648 also known as the Joe the Plumber law requires a policy and rule by the Board. Mr. Rough discussed the policy with the Executive Committee in May, but they forgot to make a motion at that meeting to approve the policy. The draft rule is still waiting input from the State working group.

The ODMH rules adding MFTs and the Social Work temporary license became effective July 1, 2009.

The annual report to the Governor will be forwarded for review to the Board chair prior to submission and shared with all Board members before it is made public. Prior annual reports are available on the website.

The five-year rule review items and a separate set of rule changes requested by the committees were filed and have a public hearing on July 13, 2009. The Board may have changes to discuss at this meeting and there may be a few new rules assuming the Board has a budget. The Board will need to approve the changes to the fees for late renewals, license verification, CEUs, and the rules for fines – 4757-1-05 and 4757-1-07. Mr. Rough will need to write a rule on how to fine and this should be put on the September agenda.

Mr. Rough discussed the formal AG opinion regarding the civil service exemption; the exemption status is absolute. In light of this decision, several state agencies are now working to reconcile position description titles with licensure requirements so as to resolve this issue to their satisfaction. They are almost ready to ask for a meeting of all interested state agencies with the Office of Collective Bargaining. Following that meeting, they will talk to the unions.

5. Hardship Request

Ms. Holleman reminded the SWPSC that the Board does have a hardship request rule, 4757-23-01, for those licensees seeking supervision by someone other than a LISW-S. The Committee needs to keep this rule in mind for future requests.

6. New Business

4757-21-01 Scope of practice for a registered social work assistant – Dr. Charles Hull, a physician at the Cleveland Clinic, wanted to know why physicians were not listed as supervisors of SWAs in rule 4757-21-01 and can they be considered. The Committee stated that there was no conscious effort to exclude physicians. The Committee advised Ms. Holleman to call Dr. Hull and tell him to contact his professional organization and if this is a factor that others are experiencing, then they should submit a statement requesting a rule change.

Donna Gray Boyd, LISW Correspondence – Ms. Boyd submitted a letter requesting the Board consider an emeritus designation. She stated that this should be for people with a history of experience where they could mentor other LSWs/LISWs. Also, she mentioned that many retirees do not plan to practice any longer so they cease doing their continuing education but if a new status was created, they could continue to give back to the profession and utilize their credentials. The Committee stated this designation is not feasible at this time, but the Board is looking into creating a databank for different statuses.

Sarah Kammen and Melanie Muller Correspondence – Ms. Kammen and Ms. Muller submitted a letter stating that they should not have to re-test because they were previously licensed and their exam scores were still good. ASWB determined that the two applicants tested through a different company, but ASWB would not submit a letter to the Board stating which exam they took and their passing exam score because they did not have that information. ASWB only knew that they passed an exam in the late 1980's. The Committee discussed this issue and determined that the two applicants will not need to re-test.

The item of re-testing for lapsed licensees will be put on the September agenda. The staff will need to check the counselor and MFT rules about re-testing and also look at other states re-testing rules.

CEU Provider – The Ohio Association of Senior Centers was up for renewal of their provider status but they did not renew it. However, they sent a report to Ms. Patty Miller and she wanted the SWPSC to review the programs they provided and the inappropriateness of those programs. The Committee reviewed and discussed the report.

Licensing Applicants with Convictions – Ms. Huey said there were two LISW applicants that did not disclose on their LSW application that they had convictions. However, Ms. Huey licensed them anyway as LISWs and she just wanted to inform the Committee.

7. National Association of Social Workers (NASW)

Ms. Webb said NASW is working with colleges/universities on their credentialing standards. She also mentioned that NASW is looking at Educational Debt Relief and she encouraged people to sign the petition. Finally, Ms. Webb will give Mr. Bill Hegarty information about NASW's monitoring so the Ad Hoc Committee can use the information in its efforts to improve the discipline process.

8. Meeting Adjourned

A motion was made by Mr. Brady to adjourn the meeting at 11:35 a.m. Seconded by Ms. Tucker. Motion carried.

Ms. Jennifer Riesbeck-Lee, Chairperson